

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED
JUN 08 2020
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF OHIO
TOLEDO

Case No.3:18-cv-331

Luther Johnson, Pro se

Plaintiff,

v

Lisa Peterson, et al.,

Motion to Compel
and requests facts and
conclusions of law
to the F.R.Civ.P. 60(B)(6).

Defendants.

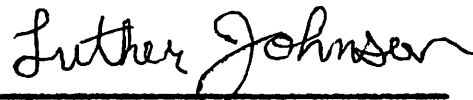
Now comes Luther Johnson, this court has not ruled on the 60(B)(6), Motion you spoke of Clear. Sir, you never looked at the Amended 60(B) and the Supplement. It is in the Amendment and Very clear as the sun in the morning and evidence is attached to the supplement. The Defendants did not object to the 60(b) nor did they object to an amendment or supplement. The supplement is clear and the attachments including case law is so clear it would appeal the conscious of other judges. A MERITORIOUS defense. Should be granted. Here is the case law that was attached to the supplement with more 6th District rulings, et cetera:

Estelle v Gamble, 429 U.S.97 Regardless of whether the indifference is *** or by prison guards in intentionally denying or delaying access to Medical care or intentionally interfering with the treatment ONCE PRESCRIBED.. *** LEHN(8) note 12.

Johnson v Wright, 2004 U.S. Dist LEXIS 7543 (S.D.N.Y., May 3,2004) HN3 Fundamental rights, cruel & Unusual Punishment... A deliberate indifference claim can lie where prison officials deliberately ignore the MEDICAL ... RECOMMENDATIONS OF A PRISONERS TREATING PHYSICIAN.

The Supplement and its attachments C L E A R L Y S H O W, A copy of an I.C.R. which clearly states: "Your case is pending collegial review as Dr. Perez discussed with you at your 8-30-16 appointment. Dr. Perez had difficulty with Johnsons Ammonia levels jumping high which could of caused brain damage and Dr. Perez knew Johnson has a higher risk for cancer and Dr. Ordered and recommended Johnson to collegial review. He wanted Johnson to be treated.

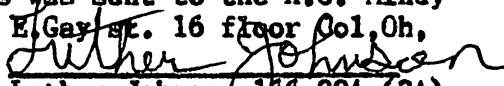
Lisa Peterson over decisions of where the money goes and who to, plus Robert Yochum decided not to go with Dr. Perez recommendations and took it up on them selves not to foreward his case to collegial review. Also exhibit atach to the Amendment / SUPPLEMENT, Exhibit B is a disposition which verifies Clearly this had been changed 9/20/16. Not by Perez but by Peterson who controled the spending, since this case she has been removed demoted. Judge respectfully sir, I am a helper, I did the grievances I did not do the complaint, had I we would not be doing this. Its in the complaint though Original Complaint at number 22, clear as the sun rising in the morning sir. HEPATITIS C IN PRISONS: Evolving toward Decency Through Adequate Medical Care and Public Health Reform, 34 UCLA L. Rev. 463 The second circuit recent decision in Johnson v Wright 412 F.3d 398,401 shows proper application of the deliberate indifference standard and suggest an approach to challenging application of HCV Protocols as categorical rules; A non physician prison official may NOT disregard the RECOMMENDATIONS of a Physician without creating a fact question as to deliberate indifference, Calhoun v Hill 2008 U.S. Dist LEXIS 70382; Hamilton v Endell 981 F2d 1062,1066 (9th Cir,1992); Titlow v Corr. Med. Servs, 2008 U.S.DIST LEXIS 125272; Rhinehart v Scutt, 2014 U.S. Dist. Lexis 150229; It has also been ruled that prison officials using policie to deny HCV treatment is deliberate indifference, see: 48 Geo.L.J. Ann.Rev. Crim.Proc. 1155 at note 3074; 45 Geo.L.J. Ann.Rev.Crim.Proc. 1105 at (3078). It is clear at No.22 orig. complaint. In attachments to Motion in Opposition to Defendants motion of the pleadings and in the Supplement to the ... reconsdieration and Motion for Relief From judgement Amendment and positively in the supplement. for these reasons you should grant this relief on the 60(B) you have not ruled on.



Luther Johnson Pro se

certificate of service

On this 2nd day of June 2020 a copy of this was sent to the A.G. Mindy Worly at the Ohio Attorneys Generals Office 150 E. Gay st. 16 floor Col, Oh, 43215.



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